

520 Rec PCT/PTO 23 AUG 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DESIGNATED/ELECTED OFFICE (DO/EO/US)

CERTIFICATION UNDER 37 CFR §1.10

I hereby certify that this RESPONSE and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service Express Mail Label No. **EL188619451US** under 37 CFR §1.10, on the date indicated below and is addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.


Thomas Fitting, Reg. No. 34,163

August 23, 1999
Date of Deposit

| | |
|-----------------------------------|----------------------------|
| Applicant: Feng, et al. |) |
| U.S. Serial No.: 09/194,889 |) |
| |) Art Unit No.: Unassigned |
| International |) |
| Application No.: PCT/US97/09684 |) Examiner: Unassigned |
| International |) |
| Filing Date: June 4, 1997 |) |
| Title: DIAGNOSTIC AND THERAPEUTIC |) |
| METHODS RELATED TO REGULATING |) |
| ENERGY MOBILIZATION WITH |) |
| OB PROTEIN AND OB ANTIBODIES |) Our Ref. No.: TSRI 540.1 |
| |) |

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTN: BOX PCT

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed June 21, 1999, enclosed is a copy of the Declaration and Power of Attorney document in support of the above-identified application. Please be advised that the original Declaration and Power of Attorney was filed with the U.S. Patent Office during the International Phase on September 16, 1997 with the Response to Invitation to Correct Defects.

Also, enclosed is a copy of the Power of Attorney by Assignee filed on December 4, 1998 as well as a Statement Under 37 CFR 3.73 (b).

Since the Declaration was filed within 30 months from the priority date (37 CFR 1.492(e)), applicants are not required to pay the surcharge for filing a late Oath or Declaration.

Please charge any additional fee concerning this matter to our Deposit Account No. 19-0962.

Respectfully submitted,

By 
Thomas Fitting, Reg. No. 34,163

THE SCRIPPS RESEARCH INSTITUTE
10550 North Torrey Pines Road
Mail Drop TPC-8
La Jolla, California 92037
(619) 784-2937

LL\C:\WP\PTO\SCR1832P.NMP

09/194880



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

| | | |
|---|-----------------------|-----------------------------------|
| U.S. APPLICATION NO | FIRST NAMED APPLICANT | ATTY. DOCKET NO |
| 09/194,889 | DOCKETED FENG | SCR 1832-1 |
| Due: 7/21/99 Final: 11/21/99 | | TSRI 540-1 |
| THE SCRIPPS RESEARCH INSTITUTE OFFICE OF PATENT COUNSEL 10550 NORTH TORREY PINES ROAD TPC 8 LA JOLLA CA 92037 | | INTERNATIONAL APPLICATION NO |
| | | PCT/US97/09684 |
| | | IA FILING DATE PRIORITY DATE |
| | | 06/04/97 06/04/96 |
| | | DATE MAILED: 06/21/99 |

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
 - a Designated Office (37 CFR 1.494).
 - an Elected Office (37 CFR 1.495):
 - U.S. Basic National Fee.
 - Copy of the international application in:
 - a non-English language.
 - English.
 - Translation of the international application into English.
 - Oath or Declaration of inventors(s) for DO/EO/US.
 - Copy of Article 19 amendments.
 - Translation of Article 19 amendments into English.
 - The International Preliminary Examination Report in English and its Annexes, if any.
 - Translation of Annexes to the International Preliminary Examination Report into English.
 - Preliminary amendment(s) filed _____ and _____.
 - Information Disclosure Statement(s) filed _____ and _____.
 - Assignment document.
 - Power of Attorney and/or Change of Address.
 - Substitute specification filed _____.
 - Statement Claiming Small Entity Status.
 - Priority Document.
 - Copy of the International Search Report and copies of the references cited therein.
 - Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
 - a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875 Lamont Hunter
 FORM PCT/DO/EO/905 (December 1997) National Stage Processing
Telephone: (703) 305-3888

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this POWER OF ATTORNEY BY ASSIGNEE and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service Mail Label No. EL188618235US under 37 CFR 1.10 on the date indicated below and is addressed to: Box Patent Application, Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

Thomas Fitting, Reg. No. 34,163

Date of Deposit

| | |
|-----------------------------------|-------------------|
| Applicant: Feng, et al. |) |
| |) |
| Serial No.: PCT/US97/09684 |) |
| |) |
| Filed: 4 June 1997 |) |
| |) |
| Title: DIAGNOSTIC AND THERAPEUTIC |) |
| METHODS RELATED TO REGULATING |) |
| ENERGY MOBILIZATION WITH OB |) |
| PROTEIN AND OB ANTIBODIES |) Our Ref.: 540.1 |
| |) |

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

As assignee of record of the entire interests of the above identified application; all powers of attorney previously given are hereby revoked, and the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected herewith.

Douglas A. Bingham, Reg. No. 32,457
Thomas Fitting, Reg. No. 34,163
Donald G. Lewis, Reg. No. 28,636
Emily Holmes, Reg. No. 40,652
Thomas E. Northrup, Reg. No. 33,268

Please send all correspondence in the above application to:

The Scripps Research Institute
Office of Patent Counsel, TPC-8
10550 North Torrey Pines Road
La Jolla, California 92037

ASSIGNEE: THE SCRIPPS RESEARCH INSTITUTE

Signature:



Douglas A. Bingham

Vice President and General Counsel